

REMARKSClaim Status

There were 18 claims in the original application, numbered 1-18. There are now 16 claims numbered 1-11, 14-16, and 19-20. Claims 1, 9, 14, 19, and 20 are the independent claims.

Claim Rejections under 35 USC 102

Claims 1-11, 14-16, and 19-20 have been rejected under 35 USC 102 as being anticipated by Koetke (2004/0098478). Applicant traverses this rejection, withdrawal of which is respectfully requested.

The Koetke Publication is not an anticipatory reference under 35 USC 102. In order to reject under 35 USC 102, the reference must teach every element of the invention without modification. The following is claim 1, which is also representative of corresponding independent claim 19. The underlined portions are not disclosed or taught by Koetke.

1. A system for electronic supply chain management and collaborative planning, including
a plurality of hubs, remotely coupled to each other;
a set of information stored in a database coupled to each said hub, wherein said set of information is owned by business entities relatively proximate to each said hub;

a set of regional authorities controlling access to said set of information;
a computer program coupled to each said hub that distinguishes between simple tasks and complex tasks;
a server coupled to at least one of said hubs, wherein said server is dedicated to performing simple tasks; and
a server coupled to at least one of said hubs, wherein said server is dedicated to performing complex tasks.

Since Koetke does not teach the five underlined elements in claims 1 and 19, it is not an anticipatory reference under 35 USC 102.

In applying the teaching of Koetke to the claims, Examiner has not specifically cited sections in the publication as teaching the elements of the claims. Rather, the Examiner has selected a general group of sections and figures in Koetke, and has essentially applied the same group to each of the elements in the claims. Accordingly, Applicants will address this general group in Koetke with respect to each of the novel elements in Applicant's claims.

Even if Koetke could arguably be said to disclose remotely coupled hubs, it fails to disclose information in a database coupled to each hub which is owned by business entities each relatively proximate to each hub.

Koetke fails to disclose computer program coupled to each hub that distinguishes between simple tasks and complex tasks. Examiner appears to cite the "lightweight

performance data context identifiers" (paragraph 49) for teaching this element. However, these identifiers are already present in the received performance data. Thus, there would no need for a computer program to distinguish such lightweight....identifiers.

Koetke, further, fails to disclose the combination of a server dedicated to performing simple tasks and a server dedicated to performing complex tasks associated with a lest one of the hubs. Paragraph 158 included in Examiner's general group of citations in Koetke discusses "client server communications session" in which there is "a lightweight (i.e. 2 byte) client server communications session identifier associated with the heavyweight" session. This vague statement in Koetke deals with sessions. There is no disclosure of two different servers. This is not a teaching without modification as required under 35 USC 102.

With respect to the claimed "regional authorities controlling access to said set of information", Applicant has reviewed all of the combined Examiner citations in Koetke, and can not find such a teaching.

Accordingly it is submitted that the teaching of Koetke is not a teaching of every element of the invention without modification as required by 35 USC 102. Thus, independent claims 1 and 19 are patentable over Koetke.

Dependent claims 2-8 are submitted to be patentable over Koetke for the reasons set forth above for the patentability of claim 1.

Claims 9-11, and 14-16 are patentable over Koetke which is not an anticipatory reference under 35 USC 102. The following is claim 9, which is also representative of corresponding independent claim 14. The underlined portions are not disclosed or taught by Koetke.

9. A method for processing transactions at a hub, including steps of
receiving messages from a user;
parsing said message and determining the relative complexity of tasks associated with said message;
separating messages that require processing from those messages that do not require processing;
sending a message requiring processing to a heavyweight server, wherein said message requiring processing is processed and sent to a user; and
sending a message not requiring processing to a lightweight server, wherein said message not requiring processing is sent to a user.

In trying to apply Koetke to claim 9, here again, Examiner applies the same general group of citations to each of the elements in the claim. With respect to this general teaching of Koetke, it may be arguably noted that somewhere in the reference there may be a suggestion of parsing messages according to complexity. However, as set forth

hereinabove with respect to claim 1, there is no teaching in Koetke of two different servers, one for heavyweight tasks and one for lightweight tasks. In addition, the Examiner has not cited any teaching in Koetke for messages requiring processing being sent to the heavyweight server before being sent to a user, and messages determined not to require processing being sent to the lightweight server before being sent to the user.

Accordingly it is submitted that the teaching of Koetke is not a teaching of every element of the invention without modification as required by 35 USC 102. Thus, independent claims 9 and 14 are patentable over Koetke.

Dependent claims 10-11, and 15-16 are submitted to be patentable over Koetke for the reasons set forth above for the patentability of claims 9 and 14.

Claim 20 is submitted to be patentable over Koetke which is not an anticipatory reference under 35 USC 102. The following is claim 20 with underlined portions which are not disclosed or taught by Koetke.

20. A system for electronic supply chain management and collaborative planning, including a plurality of remotely coupled hubs, each of said hubs each including a database;
a set of regional authorities for controlling access to a set of information, said set of

regional authorities dividing access control of said set of information among said set of designated regional authorities;
a division of said set of information between said hubs stored in each said hub's database;
a communication exchange between a first regional authority and a second regional authority, wherein said first regional authority requests instructions for obtaining data under the control of the second regional authority.

In trying to apply Koetke to claim 20, once again, Examiner applies the same general group of citations to each of the elements in the claim. As set forth above, with respect to the claimed "regional authorities controlling access to said set of information", Applicant has reviewed all of the combined Examiner citations in Koetke, and can not find such a teaching. Consequently, there is no teaching of these regional authorities respectively controlling information in hub databases associated with the respective regional authorities. More particularly, there is no teaching of a first regional authority requesting instructions for obtaining data under the control of the second regional authority.

Thus, with respect to claim 20, the general group of citations broadly applied by Examiner fails to fulfill the requirement that a reference to anticipate under 35 USC 102 must teach every element of the claim without modification.

CONCLUSION


In view of the foregoing, this Application, including claims 1-11, 14-16, 19-20, is submitted to be in condition for allowance. Applicant respectfully requests reconsideration and allowance of this Application.

To discuss any matter pertaining to the present Application, Examiner is invited to call the undersigned attorney at (650) 947-0700.

Respectfully submitted

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